

**United States District Court
District of New Mexico**

UNITED STATES OF AMERICA,

v.

CR 19-2616 JH

Michael Rajkovic,

**ORDER OF DETENTION PENDING REVOCATION HEARING ON ALLEGATIONS
OF VIOLATION OF PROBATION OR SUPERVISED RELEASE
(PRESUMPTION OF DETENTION)**

Defendant is before the Court on the allegation that he violated his conditions of release pending his final supervised release revocation hearing. A preliminary hearing has been held or waived with the result that probable cause has been found for the pending allegation, which will be scheduled for a final revocation hearing. *See Fed. R. Crim. P. 32.1(b)(1)(C).*

A detention hearing was held pursuant to Fed. R. Crim. P. 32.1(a)(6) and 18 U.S.C. § 3143(a)(1). Upon the record of that hearing, the Court finds:

The applicable guideline promulgated under 28 U.S.C. § 994 does recommend a term of imprisonment and so a presumption of detention applies. 18 U.S.C. § 3143(a)(1).

In addition, there is not clear and convincing evidence that the defendant is not likely to flee if released under 18 U.S.C. §§ 3142(b) or (c) and so the presumption of detention is not overcome. 18 U.S.C. § 3143(a)(1).

Therefore, the Defendant is remanded to custody of USMS pending further proceedings in this matter.

Directions regarding detention: The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

Date: February 5, 2024



United States Magistrate Judge